MEDTRONIC LAW DEPT

NO. 0306 P. 3/10

MAR 3 1 2004

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QNS control number. Request **Application Number** 09/776,265 **FOR** Filing Date February 2, 2001 Continued Examination (RCE) Mark A. Christopherson, First Named Inventor TRANSMITTAL t al. Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, **Group Art Unit** 3736 Provides for continued examination of an utility or plant application **Examiner Name** David J. McCrosky Filed on or after June 8, 1995. See The American inventors Protection Act of 1999 (AIPA). Attorney Docket Number P9216.00 This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This is ejectives for Communed examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: \$7;C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice. Final Rule, 65 Fed. Reg. 60092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice. Submission required under 37 C.F.R. § 1.114 a: DiPreviously submitted Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on March 12, 2004 Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ b. Enclosed Affidavit(s)/Declaration(s) Information Disclosure Statement (IDS) vi 🔲 Other 2. Miscellaneous a! 🔲 Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of bill Other months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required) 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed. a; 🔯 The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2546 ☑ RCE fee required under 37 C.F/R/ § 1.17(e) ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) ☐ Other ☐ Check in the amount of \$_ enclosed Payment by credit card (Form PTO-2038 enclosed) SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED Registration (Print/Type) Michael C. Soldner No. 41,455 Name (Attorney/Age Werch 30, 2004 Date Signature i CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450 Alexandria, VA 22313-1460, or facsimile transmitted to the U.S. Patent and Trademark Office on: Kathleen M. Altman Name (Print/Type) Date Signature

Burden Hour Statement: This form is eatimated to take 0.2 hours to complete. Time will very depending upon the needs of the Individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Tredeman Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.